

## Commissioner Mtg. 11/05/07 @ 9:00 a.m. in County Commissioners Room

Those present:

Thomas Wilson      Eric Roberts      Don Vonder Meulen

Franklin County Auditor:      Carol L. Monroe

Thomas Wilson opens meeting with pledge of allegiance

- I. E.T.C. (Enhanced Telecommunications Corporation)
  - a. Lori Feldbauer – we are interested in the opportunity to offer high speed access to the commissioners. Also looking at hosting a website. I know we could do a great job.
  - b. Mike Fledderman – curious what it took to have the opportunity to bid on the contract.
  - c. Thomas Wilson – the best thing would be to make a proposal of what you have and the cost
  - d. Don Vonder Meulen – do you have all of the information you need to do that?
  - e. Susan Jones – Marlene Flaspohler is interested on changing companies
  - f. Thomas Wilson – just get something together
- II. Proposed Burning Ban / Ordinance
  - a. Thomas Wilson – I looked at the ordinance and I got a lot of phone calls
  - b. Don Vonder Meulen – I dug out the state law and compared it to what was written in the ordinance. State law allows local ordinances to be more restrictive than the state. There is no more need for our ordinance to be any more strict than the state law. The key would be to educate the public to not burn and to have a way to enforce the ordinance.
  - c. Thomas Wilson – my feelings and the feelings of the people I talked to is to leave it the way it is.
  - d. Eric Roberts – talked to fire chief in two different departments and neither one of them want the liability of a ban. This ordinance re-written was for a town.
  - e. Don Vonder Meulen – it was the one from a waste district
  - f. Thomas Wilson – this is for a big city like a metropolitan area. We are a rural area and farmers want to clear their fence rows, burn wood with wood stoves, etc.
  - g. Don Vonder Meulen – the waste district did a media blitz on burning and from the phone calls I received and from you people are afraid of agriculture. The state law puts very few restrictions on that. We should not have any problem with people burning agriculture material.
  - h. Eric Roberts – don't see why we need to adopt an ordinance
  - i. Thomas Wilson – the fire departments don't want us to enforce it and the sheriff department don't have time
  - j. Don Vonder Meulen – there are (other) ways for people to get rid of their trash.
  - k. Thomas Wilson – if I had a health problem I would ask my neighbor not to burn his trash
  - l. Eric Roberts – don't see anything wrong with educating the public. It is a town ordinance, we should throw it out.
  - m. Crowd/Public – Amen! (lots of applauding)
  - n. Marvin Stenger – this is a joke; it all depends on who you are. I am sorry I voted for you (Don Vonder Meulen).
  - o. Jerry Harnishfeger - Where are we going to get the money to pay these people to educate us. The people who want to come over from Ohio and want to run our business need to stay in Ohio
  - p. Thomas Wilson – we are already ruled daily in our lives by government, we don't need more
  - q. Marvin Stenger – Al Gore spent ninety-five thousand emissions; why don't you write him-he is your party
  - r. Carl Bohman – according to this article, this will affect my farm. How am I going to get rid of this stuff? We can have ceremonials (fires) etc.
  - s. Don Vonder Meulen – this ordinance was written for a town
  - t. Carl Bohman – I thought you were the Franklin County Commissioners not the Franklin Town Commissioners.
  - u. Don Vonder Meulen – it does not fit Franklin County and it was just a place to start from. The best thing we can do is to strictly adopt the state law and see how that works. The state law does not restrict agriculture
  - v. Carl Bohman – why do we need an ordinance if we have a state law, who is going to enforce it?
  - w. Don Vonder Meulen – state officials can only enforce this.

- x. Carl Bohman – are you going to have neighbor against neighbor; you are opening a can of worms.
- y. Janice Roberts – can we have a copy of what you are talking about
- z. Don Kuntz – years ago they didn't want to recycle nothing because they couldn't make any money
- aa. Don Vonder Meulen – it cost more to recycle
- bb. Thomas Wilson – on cardboard it does make a little money but on the others we would bundle and take up to Richmond and see them throw it in a dumpster.
- cc. Don Kuntz – I have lived in the same house for forty years and have a wood burning stove. The air was pushing the smoke down.
- dd. Don Vonder Meulen – don't recall anything in the state law about using wood to heat your home.
- ee. Carl Bohman – when you were talking about a town what kind of town are you talking?
- ff. Eric Roberts – an incorporated town
- gg. Clinton McNally – recommend that you take that ordinance back to the “district”
- hh. Don Vonder Meulen – do you see any reason to control the open burning?
- ii. Carl Bohman – not if the state already does it; we have enough laws already, we don't need any more.
- jj. Janice Roberts – we need better enforcement; you can't educate someone who doesn't want to be educated.
- kk. Jerry Harnishfeger – you as county commissioners can go to the state house and say we have people in our county not doing their job. That way the sheriff doesn't have to hire another person
- ll. Carl Bohman – twenty years ago burning was very common. In another twenty years from now this practice will change. Why make something up that is going to disappear in time anyway?
- mm. Don Vonder Meulen – years ago I was down as Childrens (hospital). There was a kid with cancer who is still in our community. A burn barrel is the most common thing that you come across in this county.
- nn. Carl Bohman – that is not the only thing that causes cancer
- oo. Marvin Stenger – why about this manure they are supposed to be chiseling in the ground. Should he haul it up to the landfill? It is time you guys have a little common sense.
- pp. Don Vonder Meulen – is it time to move on?
- qq. Marvin Stenger – forget your attorney fees
- rr. Thomas Wilson – motion to keep things the way they are (go by the state laws)
- ss. Eric Roberts – seconds the motion
- tt. Don Vonder Meulen – if we are not going to do anything why do we need a motion; I agree

### III. V.F.W. (Proposed Facility/Blue Creek)

- a. Gary Seals – they are all willing; it is 35 feet from the storage building they have. We met with the cemetery
- b. Eric Roberts – would you be looking to lease or purchase?
- c. Gary Seals – we don't care
- d. Thomas Wilson – what did Gene (Stewart) say;
- e. Gary Seals – we are shooting for memorial day weekend
- f. Eric Roberts – do you have your section 501?
- g. Gary Seals – yes
- h. Susan Jones – Gene's recommendation is for them to purchase
- i. Joe Gillespie – we will meet their deadlines
- j. Eric Roberts – we have to have two appraisals; we can sell to nonprofit
- k. Don Vonder Meulen – do we have any concerns about the future and not having control of this property
- l. Eric Roberts – if you are going to go to the expense of building a building, then I would want to own the land
- m. Gary Seals – if it is a lease we would like to have a 25 year

### IV. Fayette Memorial

- a. Joe Gillespie – we have had flooding problems down there previously. Their architect is here and Mr. Seal, director is here
- b. Dave Montgomery – they are adding 1900 square feet to the building. About ninety-four thousand square feet of hard surface. We added retention area to the east and west of the building. Thirty-six thousand of cubic feet we are holding back.
- c. Thomas Wilson – what happens after it crosses 52?
- d. Joe Gillespie – what has always happened.

- e. Eric Roberts – how big a rainfall could your plans hold
- f. Dave Montgomery – 41/2inches. It is all not going to get there at the same time. Calculations are on a five to fifty year storm.
- g. Joe Gillespie – the current is 5cfs and you are going to slow that to 3?
- h. Dave Montgomery – yes
- i. Larry Franzman – are we still looking at a grant for seeding?
- j. Joe Gillespie – board of commissioners have mentioned that to the town but nothing was ever done.
- k. Larry Franzman – the previous infrastructure, no one is sure about that. They are doing their part here.
- l. Thomas Wilson – motion give Larry Franzman permission to issue permit and approve drainage plan
- m. Eric Roberts – seconds the motion
- n. Don Vonder Meulen – all in favor

V. Vacate portion of Fields Road

- a. Harold Fields - they misinformed everybody at the trial. I gave Charlie a key to the gate; continues reviewing history.
- b. Thomas Wilson – there is not question you and your dad built the road; but as some time the county took it over
- c. Harold fields – show me over any period of time where the county maintained it.
- d. Thomas Wilson – the court ordered it as a county road
- e. Don Vonder Meulen – the way I look at this; we have a choice of abandoning it or not. If we abandon it then we will have to construct a new road for the bakers.
- f. Thomas Wilson – I understand Harold but we have a court ruling
- g. Harold field – I plan on suing you
- h. Don Vonder Meulen – if we did something that didn't recognize a court decision we would be in court (tape two)
- i. Eric Roberts - motion to deny petition as written
- j. Don Vonder Meulen – seconds the motion
- k. Thomas Wilson – all in favor

VI. Metamora Certificate of Appropriateness

- a. See attached
- b. Eric Roberts – just replacing a window
- c. Don Vonder Meulen – motion to approve for Jo Ball
- d. Eric Roberts – seconds the motion
- e. Thomas Wilson – all in favor

VII. 2008 Insurance

- i. Thomas Wilson – motion to award Bliss McKnight (see attached figures)
- ii. Eric Roberts – seconds the motion
- iii. Don Vonder Meulen – all in favor

VIII. Weekly Highway Engineer Report, George Hartman

- a. Bridge #144 / Fairfield Causeway Road over Brookville Lake
  - i. Letter – see attached
    - 1. Thomas Wilson – motion to sign
    - 2. Eric Roberts – seconds the motion
    - 3. Don Vonder Meulen – all in favor
- b. Bridge #100 / Johnson Fork Road North of Snow Hill Covered Bridge
  - i. Since late in construction season willing to issue check to Franklin County Highway Department for \$2,500.00; don't know if this can be put back into account
    - 1. Carol L. Monroe – with an additional appropriation
  - ii. See fax
  - iii. See photo (2)
- c. Bridge #102 / Snowhill Road Covered Bridge over Johnson Fork / Des. No. 0089000
  - i. See photo (2)
- d. Bridge #104 / Drewersburg Road over Sours Run of Dry Fork
  - i. See photo (6)
  - ii. Oct. 25, 2007 large Sycamore tree fell across South end of the Bridge

1. damaged four sections (fifty feet) of w-beam guard rail
  2. horizontal crack was created in concrete
- e. Bridge #71 / Mid Road over Walnut Fork
- i. Eric Roberts – could you get some figures of what it would cost to get a bridge back there
  - ii. Thomas Wilson – if you are going to have truck traffic, you are going to have to have wider roads, wider berms, etc.
- f. Bridge #21 / Park Road over the Whitewater Canal
- i. Thomas Wilson – concerned about width of guardrails for combines, etc. as well as cost. That is a lot of money
  - ii. Don Vonder Meulen – concerned about liability of pedestrians
  - iii. Thomas Wilson – we have chain link; if you are concerned about safety of pedestrians, that is as safe if not safer.
  - iv. Don Vonder Meulen – suggest wood railing
  - v. Thomas Wilson – that would be better (for surroundings)
- g. Franklin County Historic Bridges (Eric Roberts leaves)
- i. Bridge #75 / concrete arch on Sawmill Road and 78 / Harvey Branch
    1. Timothy Smith asking for more information (flip tape two)
    2. Thomas Wilson –Omer Prickel might be a good one to talk to
- h. Programmatic Sign Improvement / Des. No. 0501216
- i. See spreadsheet
  - ii. We should be doing 380 signs per month
  - iii. Thomas Wilson – aren't we doing well in Bath Township?
  - iv. Don Vonder Meulen – don't know where we are
  - v. Thomas Wilson – September we didn't do hardly any so we are behind
  - vi. Don Vonder Meulen- this (spreadsheet) will be real good for Howard (Hughes) ;we may have to put another crew on
  - vii. Thomas Wilson – I could give you an extra man if you need one.
  - viii. Don Vonder Meulen – if we see we are falling further and further behind maybe we will need to come up with a plan
  - ix. Thomas Wilson – we don't want to get too far behind
- IX. Minutes (October 22, 2007)
- a. Thomas Wilson – motions to approve
  - b. Don Vonder Meulen – seconds the motion
- X. Bill to see why walls were wet
- a. Thomas Wilson – we received a bill and well, it makes me laugh
- XI. Recess for Lunch
- XII. Franklin County Redevelopment Corp.
- a. Rene Stivers – you have received a copy of bylaws and do you want to accept those?
  - b. Thomas Wilson – you have read them, do you agree with everything and it is to the best interest of the county?
  - c. Rene Stivers – the board wanted to receive more money and in that we could sell membership. Another thing is my appointment would be by commissioners. Also, making an appointment of yours to the Franklin County economic commission
  - d. Don Vonder Meulen – are the meetings public?
  - e. Rene Stivers – yes; it would be very similar to what the chamber of commerce
  - f. Thomas Wilson - these boards have powers of imamate domain
  - g. Rene Stivers – you will be making the appointments
  - h. Don Vonder Meulen – it is a tool that encourages settlement agreements
  - i. Thomas Wilson – we are responsible to the public, not that board. It could come back and bite us
  - j. Rene Stivers – there would probably be a recommendation to you for appointments to the board. What I am looking for today is permission to begin that.
  - k. Thomas Wilson – I don't see any problem w/ that, do you all agree?
  - l. Don Vonder Meulen – sure.
  - m. Rene Stivers – is it a consensus then?

- n. Don Vonder Meulen – yes.
- XIII. Claims (November 5, 2007)
  - a. Thomas Wilson – makes a motion to approve the claims
  - b. Don Vonder Meulen – seconds
  - c. Eric Roberts – all in favor
- XIV. Payroll
  - a. Thomas Wilson – makes a motion to approve the payroll
  - b. Don Vonder Meulen – seconds the motion
  - c. Eric Roberts – all in favor
- XV. Advertisement for 2008 Supplies
  - a. Thomas Wilson – makes a motion to approve the advertisement for 2008 supplies
  - b. Eric Roberts – seconds the motion
  - c. Don Vonder Meulen – all in favor
- XVI. Adjourn
  - a. Meeting stands adjourned

Those also present:

Susan Jones, Secretary	Carol Westerman, PT Secretary	George Hartman, County Engineer
Joe Gillespie, County Surveyor	John Cookendorfer	Gary Seal
Gary Reister	Jerry Harnishfeger	Clinton McNally
Donald Kuntz	Marvin Roell	Marvin Stenger
Carl Bramonte	Emily Bamonte	Kevin Krekeler
John Estridge, Whitewater Publications	Pam Fields	Paul Lovins
Frank Weiler	Barry Bailey	Glen Saler
Janice Roberts	Steve Holda	Mike Fledderman
Lorie Feldbauer	James Rene Stivers	

Approved 11/13/07